GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Water Resources Department – Sri K.Surya Prasad, Assistant Hydrologist, O/o the Director, Ground Water Department – Setting aside the punishment of dismissal from service – Orders – Issued.

WATER RESOURCES (VIG-III.1) DEPARTMENT

G.O.RT.No. 159 Dated: 02-04-2025

Read the following:

1. G.O.Ms.No.13, Irrigation & CAD (Ser.VI.1) Department, dt: 25.01.2007.
2. High Court Order, dt: 04.12.2023 in Criminal Appeal Nos.1424 of 2006 and 1495 of 2006 filed by the charged officer, Sri K.Surya Prasad, Assistant Hydrologist.

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ORDER:

Whereas in the reference 1st read above, Government imposed punishment of dismissal from service against Sri K.Surya Prasad, Assistant Hydrologist, O/o the Director, Ground Water Department under Rule 9 of APCS (CC&A) Rules, 1991 as he was found guilty of the charges and convicted in a trail court in CC No.15/2000 in its judgment, dt: 24.10.2006.

2. Whereas in the reference 2nd read above, aggrieved charged officer Sri K.Surya Prasad, Assistant Hydrologist filed Criminal Appeal No.1424 of 2006 and 1495 of 2006 before Hon'ble High Court against the judgment dated 24.10.2006 given by the trial court in CC No.15/2000. And the Hon'ble High Court on 04.12.2023 has given judgment as follows.

"…. For ongoing discussion, this court is of the opinion that the prosecution failed to establish the guilt of the appellants/A.1 to A.3 for the charges leveled against them beyond all reasonable doubt and the appellants/A.1 to A.3 are entitled to benefit of doubt. The trial court has not considered the evidence on record in right perspective and erred in convicting and sentencing the appellants/A.1 to A.3. Hence, the impugned judgment passed by the trial court is liable to be set aside.

In the result, both the Criminal Appeals are allowed, setting aside the impugned judgment. The convictions and sentences recorded by the trail court in the judgment dated 24.10.2006 passes in C.C.No.15 of 2006 by the learned Special Judge under the SPE and ACB Cases, Nellore against the appellants/A.1 to A.3 are set aside. The Appellants/A.1 to A.3 are found not guilty of the charges leveled against them and are accordingly acquitted of the said charges and they are set at liberty. Fine amounts, if any, paid by them shall be refunded to them.

Consequently, miscellaneous petitions, if any, pending in these Criminal Appeals shall stand closed."

3. Government, after careful examination of the matter, hereby decided to implement the orders of the Hon'ble High Court, dated 04.12.2023 by setting aside the judgment of the Special Judge for SPE & ACB Cases in CC No.15 of 2000, dated 24.10.2006 and drop the punishment of dismissal from service against Sri K.Surya Prasad, Assistant Hydrologist, O/o the Director, Ground Water Department imposed in the reference 1st read above.

4. The Director, Ground Water and Water Audit Department, Vijayawada shall take necessary action in the matter accordingly.

(P.T.O.)

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVT

To

Sri K.Surya Prasad, former Assistant Hydrologist, O/o the Director, Ground Water Department through the Director, Ground Water and Water Audit Department, Vijayawada.

The Director, Ground Water and Water Audit Department, Vijayawada.

SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER